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ABSTRACT

The study was conducted in an effort to ascertain the magnitude and dimensions of the delinquency problem among the American Indian youths from the Wind River Reservation (Wyoming). During the summer of 1971 data were obtained from the records of the Court of Indian Offenses, the Tribal police, the juvenile officer on the reservation, the Riverton Police Department, the Lander Police Department, and the Fremont County Sheriff's Department. In addition, numerous conversations were held with various Bureau of Indian Affairs officials, personnel involved in Community Action Programs, police personnel, and school officials. The data were put into table forms; e.g., cases involving juveniles charged with delinquent acts dealt with by the Court of Indian Offenses, and charges against juveniles by the Lander Police Department and the Fremont County Sheriff's Department during fiscal year 1971. The 16 major findings cover various areas, such as: from 1967-71, 1,047 cases involving juveniles were adjudicated by the Court of Indian Offenses; and approximately 2/3 of the delinquency cases involved males and 1/3 involved females. Ten specific suggestions for delinquency prevention and treatment programs are listed; e.g., every effort should be made to increase employment opportunities for both Indian adults and youths and the existing alcoholism rehabilitation program on the reservation should be evaluated and every effort should be made to make it as effective as possible. (FF)

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PLANNING PROJECT IN JUVENILE DELINQUENCY

Prevention and Control of Delinquency among Indian Youth in Wyoming

August 1972

BY

Morris A. Forslund, Ph.D.
Associate Professor
Department of Sociology
The University of Wyoming

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PREFACE

Official statistical data, such as those published in Uniform Crime Reports, indicate higher crime and delinquency rates for American Indians than for the general American population. There have, however, been few intensive studies of crime and delinquency among Indians. As a consequence, little is known concretely about these problems. The present study was conducted in an effort to ascertain the magnitude and dimensions of the delinquency problem among Indian youth from the Wind River Reservation in Wyoming. The study was conducted by members of the Department of Sociology at the University of Wyoming at the request of The Joint Business Council of the Shoshone and Arapahoe Tribes of the Wind River Reservation. It was financed in part by The Joint Business Council, in part by the Youth Development and Delinquency Prevention Administration of the United States Department of Health, Education and Welfare, and in part by the University of Wyoming.

This study has been oriented toward three specific objectives: 1) to provide The Joint Business Council with information concerning the nature and magnitude of the delinquency problem among Indian youth from the Wind River Reservation; 2) to provide the Governor's Planning Committee on

Criminal Administration for the State of Wyoming with information pertinent to establishing a "Comprehensive Plan for the Prevention and Control of Juvenile Delinquency" in the State of Wyoming; 3) and, to provide suggestions for the development of delinquency treatment and prevention programs appropriate to the current delinquency situation on the Wind River Reservation.

At the request of The Joint Business Council, the data obtained were limited to those available from official records. During the summer of 1971 data were obtained from the records of the Court of Indian Offenses, the Tribal Police, the Juvenile Officer on the Wind River Reservation, the Riverton Police Department, the Lander Police Department and the Fremont County Sheriff's Department. These data were coded and punched into electronic data processing cards for computer processing. In order to be able to compute delinquency rates and perform a cohort analysis other information was obtained from Bureau of Indian Affairs records. In addition, numerous conversations were held with various Bureau of Indian Affairs officials, personnel involved in Community Action Programs on the Reservation, police personnel, school officials and others. In every case we received the full co-operation of these persons. Without their co-operation it would have been impossible to complete this project. The study itself was conducted by Dr. Morris A. Forslund and Mr. Ralph E. Meyers. Mr. Meyers performed the majority of the work involved in data collection, coding and tabulation. Dr. Forslund directed the study, performed most

of the work involved in data analysis, and was responsible for the production of this report.

From the data obtained it was possible to make the following analyses: cases involving juveniles charged with delinquent acts dealt with by the Court of Indian Offenses during fiscal years 1967 through 1971; 1971 fiscal year Juvenile Officer cases not referred to the Court of Indian Offenses; charges against juveniles by the Lander Police Department and the Fremont County Sheriff's Department during fiscal year 1971; delinquency rates per 100 population per year based on Court of Indian Offenses Appearances for fiscal years 1967 through 1971; analysis of the total number of juvenile officer contacts, offenses with which charged, and Court of Indian Offenses appearances for a cohort of Shoshone and Arapahoe youth who became eighteen years of age during fiscal year 1971; and, custory/guardianship, dependency/neglect, dependency/neglect/delinquency cases heard by the Court of Indian Offenses during fiscal years 1967 through 1971. Findings based on these analyses are described in detail in the following sections of this report.

CHAPTER I

OFFICIAL DELINQUENCY INVOLVEMENT OF WIND RIVER INDIAN RESERVATION YOUTH

During Fiscal years 1967 through 1971, 1047 juvenile cases were adjudicated by the Court of Indian Offenses on the Wind River Indian Reservation. These cases can be categorized as follows: 1) delinquency; 2) dependency/neglect; 3) dependency/neglect/delinquency; 4) custody/guardianship; and, 5) review of case. The distribution of cases among these categories is given by sex and year in Table 1. It is immediately apparent that a much larger number of males than females were involved in these cases and that this is accounted for primarily by the much greater involvement of males than females in delinquency cases. It is also apparent that the number of cases, and particularly delinquency cases, has fluctuated considerably from year to year. For example, the number of delinqeuncy cases involving males ranges from a low of 33 in 1967 to a high of 122 in 1968. On the other hand, the number of dependency/neglect cases involving males ranges from a high of 45 in 1967 to a low of 11 in 1970. The explanation for these variations is unclear. Perhaps they reflect real differences in the incidences of these cases from year to year. Or, the variations may reflect changes in policies with changing

Table 1

Number of Juvenile Cases of Various Categories
Adjudicated by the Court of Indian Offenses during 1967 through 1971

	Delinquency		Depend/Neglect		Dep/Neg/Delin		Custody/Guard		Review of Case		Total		Total
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
1967	33	33	45	35	3	1	14	4	0	0	95	73	168
1968	122	77	20	20	1	3	12	12	0	0	155	112	267
1969	100	54	36	28	1	1	5	6	0	0	142	89	231
1970	101	26	11	20	0	0	7	10	0	0	119	56	175
1971	109	38	14	9	0	0	14	5	5	6	142	58	200
Totals*	465	228	126	112	5	5	52	37	5	6	653	388	1041

*The following cases could not be included for the given reasons:
1970--One Dependent/Neglect case, tribe and sex is unknown.
1970--One Dependent/Neglect case, Arapahoe, sex is unknown.
1971--One Dependent/Neglect case, Arapahoe, sex is unknown.
1971--One Dependent/Neglect case, Shoshone, sex is unknown.
1971--One Arapahoe Female, category of case is unknown.

personnel in the agencies primarily responsible for referring the cases to the Court. Data are not available to determine which, if either, of these explanations is correct.

Delinquency Cases

During Fiscal Years 1967 through 1971, 703 cases involving juveniles charged with delinquent acts were adjudicated by the Court of Indian Offenses. Of these cases, 121 involved Shoshone males, 63 involved Shoshone females, 343 involved Arapahoe males, 167 involved Arapahoe females, 6 involved males from other tribes, and 3 involved females from other tribes. The majority of the youth appearing before the Court of Indian Offenses were in the older juvenile age categories: 28.55 percent were 17 years of age, 28.26 percent were 16 years of age, 17.97 percent were 15 years of age, 11.74 percent were 14 years of age, and only 13.47 percent were 13 years of age or younger; a larger percentage of Arapahoe than Shoshone youth, and particularly Arapahoe females, were in the younger age categories.

Approximately three-fourths of the cases involved only one charge against a juvenile, about a fifth involved two charges, and only about one case in twenty involved more than two charges. A slightly higher proportion of males than females was charged with more than one offense; and, while there was little difference between the proportions of Shoshone and Arapahoe males charged with more than one offense, a higher proportion of Shoshone than Arapahoe females was charged with two or more offenses.

Table 2

Distribution of Cases Appearing before the Court of Indian Offenses on Delinquency Charges, 1967-1971, by Age, Sex and Tribe of Defendant

Age	Shoshone		Arapahoe		Other		
	Male	Female	Male	Female	Male	Female	Total
17	30.83%	31.75%	31.74%	20.73%			28.55%
16	28.33	42.86	25.75	28.66		33.33%	28.26
15	15.83	15.87	16.17	23.78	16.67%	33.33	17.97
14	14.17	9.52	10.48	12.80	16.67	33.33	11.74
13	3.33		7.19	7.93	33.33		6.23
12	3.33		3.59	1.83			2.75
11	2.50		1.50	1.83			1.59
10 or less	1.67		3.59	2.44	33.33		2.90
Total	99.99%	100.00%	100.01%	100.00%	100.00%	99.99%	99.99%
Number*	120	63	334	164	6	3	690

*The ages of 1 Shoshone male, 9 Arapahoe males, and 3 Arapahoe females were not known.

Table 3

Number of Separate Offenses Charged Against Juveniles per Case Appearing before the Court of Indian Offenses, 1967-71, by Sex and Tribe

Number	Shoshone		Arapahoe		Other		All Tribes		
	Male	Female	Male	Female	Male	Female	Male	Female	Total
1	75.21%	73.02%	73.76%	82.63%	100.00%	66.67%	74.47%	79.83%	76.24%
2	17.36	25.40	21.28	16.17		33.33	20.20	18.88	19.63
3	5.79	1.59	2.62	0.60			3.40	0.86	2.56
4	1.65		0.87	0.60			1.06	0.43	0.85
5			0.87				0.64		0.43
6			0.58				0.43		0.28
Total	100.01%	100.01%	99.98%	100.00%	100.00%	100.00%	100.00%	100.00%	99.99%
Number	121	63	343	167	6	3	470	233	703

The community of residence of juveniles appearing before the Court of Indian Offenses on delinquency charges between 1967 and 1971 is given in Tables 4 and 5. The majority of persons charged lived in Ethete, Fort Washakie or Arapahoe, with only a small proportion resident elsewhere. It is apparent that while about two-thirds of all cases involved males, the proportion of male and female defendants differed considerably by community.

In the overwhelming majority of instances, the petitioner bringing the case before the Court was the Juvenile Officer or Special Officer; however, about one case in ten involving males and nearly that proportion involving Arapahoe females, was brought by the Tribal Police. It should also be noted that although only a small proportion of petitioners were parents or guardians, parents or guardians were petitioners in a larger percentage of cases involving females than males.

Although the defendant always has the opportunity for representation by a lawyer, in only a few cases did this occur: in 15 (3.26 percent) of the cases against males and 6 (2.16 percent) of the cases against females. Because of the very small number of cases in which the defendant was represented by counsel, it was impossible to analyze the influence of such representation on the outcome of the case.

Somewhat more detailed information was obtained on cases appearing before the Court during 1971 than in the preceding four years. About half of the youth in these cases appeared

Table 4

Distribution of Delinquency Cases Appearing before the Court of Indian Offenses, 1967-1971, by Sex and Community of Residence of Defendent

Community of Residence	Male	Female	Total
Fort Washakie	25.96%	23.18%	25.04%
Arapahoe	24.04	17.60	21.91
Ethete	35.96	44.21	38.69
Lander	0.85		0.57
Riverton	2.98	7.73	4.55
St. Stephans	3.40	0.43	2.42
Crowheart	0.21	2.58	1.00
Other	3.62	2.58	3.27
Unknown	2.98	1.72	2.56
Total	100.00%	100.03%	100.01%
Number	470	233	703

Table 5

Percent Male of Defendants Appearing in Delinquency Cases before the Court of Indian Offenses, 1967-1971, by Community of Residence

Community of Residence	Total Number of Defendants	Percent Male
Fort Washakie	176	69.32%
Arapahoe	154	73.38
Ethete	272	62.13
Lander	4	100.00
Riverton	32	43.75
St. Stephens	17	94.12
Crowheart	7	14.29
Other	23	73.91
Unknown	18	77.78
Total	703	66.86%

Table 6

Petitioner in Court of Inidan Offenses Delinquency Cases, 1967-1971, by Tribe and Sex

	Shoshone		Arapahoe		Other		
Petitioner	Male	Female	Male	Female	Male	Female	Total
Parents/Guardian		1.59%	0.59%	4.29%	20.00%		1.59%
Tribal Police	10.00%	1.59	11.47	7.36			9.22
Juvenile Officer/ Special Officer	82.50	95.24	77.94	83.44	80.00	100.00%	81.70
Social Service Representative	0.83		1.76	2.45			1.59
Other	6.67	1.59	8.24	2.45			5.91
Total	100.00%	100.01%	100.00%	99.99%	100.00%	100.00%	100.01%
Number	120	63	340	163	5	3	694

*Information concerning petitioner was not available for 1 Shoshone male, 3 Arapahoe males, 4 Arapahoe females, and 1 other male.

before the Court only once during 1971, about one-fourth appeared twice, about one-fourth appeared three times, slightly less than 3 percent appeared four times and none appeared more than four times. It is interesting to note that of youth appearing before the Court in 1971, 13 were also arrested by the Lander police during that year, 8 by the Riverton police, 7 by the Fremont County Sheriff's Department, and 25 had an official contact with the B.I.A. Juvenile Officer which did not eventuate in a court appearance. In addition, as detailed in a later section, a number of Indian youth who did not appear before the Court of Indian Offenses on delinquency charges during 1971 were arrested elsewhere.

The specific offenses with which juveniles were charged is given in Table 8. A large percentage of the charges, 27.37 percent, involved alcohol-related offenses (Minor in Possession, Public Intoxication, Driving while under the Influence of Alcohol); 11.12 percent of the charges were for the vaguely defined offense of "Delinquent Child," with no more specific offense indicated. Only a small proportion of the charges were for what could be conceived to be serious offenses, such as Assault, Assault and Battery, Burglary, Auto Theft or Breaking and Entering. On the other hand, a large percentage of charges involved offenses peculiar to juveniles which would not normally be considered offenses if committed by adults (Minor in Possession, Curfew Violation, Runaway, Wayward, Delinquent Child, etc.).

Table 7

Number of Court of Indian Offenses Appearances for Delinquent Acts for Persons Arrested during 1971, by Sex and Tribe

Number of Appearances	Shoshone		Arapahoe		Other		All Tribes		
	Male	Female	Male	Female	Male	Female	Male	Female	Total
1	25.00%	50.00%	59.42%	50.00%	100.00%		49.54%	50.00%	49.66%
2	22.22	50.00	23.19	23.53			22.02	26.32	23.13
3 3	41.67		17.39	26.47			24.77	23.68	24.49
4	11.11						3.67		2.72
Total	100.00%	100.00%	100.00%	100.00%	100.00%		100.00%	100.00%	100.00%
Number	36	4	69	34	4	0	109	38	147

Table 8

Distribution of Charges against Juveniles Appearing before the Court of Indian Offenses, 1967-1971, by Sex and Tribe

Offense	Shoshone		Arapahoe		Other				
	Male	Female	Male	Female	Male	Female	Male	Female	Total
Minor in Possession	17	5	60	21	0	0	77	26	103
Public Intoxication	27	12	67	30	1	0	95	42	137
Disturbing Peace	14	1	21	2	0	0	35	3	38
Malicious Mischief	9	1	43	3	3	0	55	4	59
Curfew Violation	11	11	49	29	0	2	60	42	102
Theft	10	2	34	2	0	0	44	4	48
Assault	2	0	8	3	1	0	11	3	14
Assault & Battery	1	1	17	4	0	0	18	5	23
Probation Violation	3	0	3	1	0	0	6	1	7
Obscene Language	0	0	6	2	0	0	6	2	8
D.W.U.I.	3	0	6	2	0	0	9	2	11
Driving without a License	7	3	20	10	0	1	27	14	41
Disobeying Order of Court	4	4	7	5	0	0	11	9	20
Escape	3	1	11	3	0	0	14	4	18
Truancy	3	5	8	4	0	0	11	9	20
AWOL & Runaway	1	0	2	9	0	0	3	9	12
Disorderly Conduct	8	4	19	5	0	0	27	9	36
Concealed Weapon	1	0	1	0	0	0	2	0	2

Table 8 (cont.)

Offense	Shoshone Male	Shoshone Female	Arapahoe Male	Arapahoe Female	Other Male	Other Female	Male	Female	Total
Forceable Rape	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Auto Theft	1	0	1	0	0	0	2	0	2
Delinquent Child	10	13	50	36	0	0	60	49	109
Other Traffic Offense	8	2	19	2	0	1	27	5	32
Wayward from Home	3	14	8	20	0	0	11	34	45
Inhaling Noxious Substances	10	0	1	0	1	0	12	0	12
Maintaining Public Nuisance	0	0	1	3	0	0	1	3	4
Resisting Arrest	5	0	2	2	0	0	7	2	9
Breaking and Entering	1	0	0	0	0	0	1	0	1
Other Offenses	0	2	1	1	0	0	1	3	4
Total	162	81	465	199	6	4	633	284	917

Table 9 indicates initial disposition of delinquency cases heard by the Court of Indian Offenses during 1967 through 1971 by sex and tribe. Obviously, the vast majority of juveniles appearing in court was found guilty. Usually the juveniles plead guilty with no contest.

Sentences imposed upon those found guilty are summarized in Table 10. Slightly more than one-third of those found guilty were sentenced to a period of detention; slightly less than one-third were placed on probation. While a higher proportion of males than females was sentenced to detention, a higher proportion of females than males was placed on probation. Only about one case in ten resulted in the imposition of a fine, but a higher proportion of males than females received this disposition. It should also be noted that a higher proportion of sentences imposed on males involved restriction, restitution, extra work or some specific requirement (such as attending church), while a higher proportion of sentences imposed on females involved curfew or warning. More detailed information on specific sentences imposed on convicted juveniles by the Court of Indian Offenses during 1967 throug 1971 is given in Tables 11 through 15.

Specific sentences imposed on convicted juveniles are indicated in Table 11. The most common sentence was juvenile detention, followed by juvenile detention with detention totally suspended and the individual placed on probation, probation only, fine, and placement of the child in a child care

Table 9

Disposition of Delinquency Cases Appearing before the Court of Indian Offenses, 1967-1971, by Sex and Tribe

Disposition	Shoshone		Arapahoe		Other		All Tribes		
	Male	Female	Male	Female	Male	Female	Male	Female	Total
Guilty	90.91%	90.48%	85.13%	87.43%	100.00%	66.67%	86.81%	87.98%	87.20%
Not Guilty			2.04	1.20			1.49	.86	1.28
Dismissed	5.79	1.59	7.58	4.79		33.33	7.02	4.29	6.12
No Action Indicated	1.65	3.17	2.04	3.59			1.91	3.43	2.42
Postponed, no record of further action	1.65	4.76	3.21				2.77	3.43	2.99
Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	99.99%	100.01%
Number	121	63	343	167	6	3	470	233	703

Table 10

Percentage of Cases in Which Various Sentences Were Imposed Upon Juveniles Convicted in the Court of Indian Offenses, 1967-1971, by Sex and Tribe*

Sentence	Shoshone		Arapahoe		Other		All Tribes		
	Male	Female	Male	Female	Male	Female	Male	Female	Total
Detention	49.09%	26.32%	42.81%	30.82%	16.67%		44.12%	29.27%	39.15%
Probation	30.91	45.61	31.16	38.36	16.67		30.88	40.00	33.93
Fine	16.36	5.26	14.38	8.90			14.71	7.80	12.40
Restriction	14.55	7.02	9.25	6.85	16.67		10.78	6.83	9.46
Restitution	12.73		9.93	2.05	16.67		10.78	1.46	7.67
Curfew	11.82	15.79	7.53	12.33			8.58	13.17	10.11
Warning	10.91	10.53	11.99	22.60	66.67	100.00%	12.50	20.00	15.01
Meet with Juvenile Officer	11.82	10.53	6.16	8.22			7.60	8.78	7.99
Court Order	2.73	1.75	.68	3.42			1.22	2.93	1.79
Extra Work	20.91	7.02	14.38	12.33			15.93	10.73	14.19
Ward of Court	2.73	7.02	2.40	.68			2.45	2.44	2.45
Specific Requirement	9.09	10.53	7.88	2.74			8.09	4.88	7.01
Remanded to State Court	.91	3.51		.68			.25	1.46	.65

*This analysis is based on 110 convictions involving Shoshone males, 57 involving Shoshone females, 292 involving Arapahoe males, 146 involving Arapahoe females, 6 involving other males, and 2 involving other females. Several columns total to more than 100% because multiple sentences were imposed in many cases.

Table 11

SPECIFIC SENTENCES IMPOSED ON CONVICTED JUVENILES BY THE COURT OF INDIAN OFFENSES, 1967-1971, BY SEX AND TRIBE

Primary Sentence	Shoshone		Arapahoe		All Tribes*		Total	
	Male	Female	Male	Female	Male	Female	Number	Percent
None Indicated	33	10	67	36	104	48	152	24.80%
Probation Only	5	16	28	24	33	40	73	11.91
Fine	10	2	31	7	41	9	50	8.16
Fine and probation	2		3	5	5	5	10	1.63
Fine, fine partly remitted			1		1		1	0.16
Fine, fine totally remitted	1	1	1	1	2	2	4	0.65
Juvenile detention	21	4	53	16	74	20	94	15.33
Juvenile detention and probation	8	3	9	5	17	8	25	4.08
Juvenile detention, J. D. partly suspended			1	1	1	1	2	0.33
Juvenile detention, J. D. partly suspended, probation	1		1		2		2	0.33
Juvenile detention, J. D. totally suspended	4	3	12	1	16	4	20	3.26

Table 11 (cont.)

Primary Sentence	Shoshone Male	Shoshone Female	Arapahoe Male	Arapahoe Female	All Tribes* Male	All Tribes* Female	Total Number	Total Percent
Juvenile detention, J. D. totally suspended, probation	15	6	42	21	58	27	85	13.87
Fine and juvenile detention	2		4		6		6	0.98
Fine, juvenile detention, and probation				1		1	1	0.16
Fine, juvenile detention, J. D. totally suspended	1				1		1	0.16
Fine, juvenile detention, J. D. totally suspended, probation	2		2		4		4	0.65
Commitment, juvenile delinquency institution	1	2	6	2	7	4	11	1.79
Commitment, juvenile delinquency institution, suspended and fine			1		1		1	0.16
Placement, child care institution	2	7	17	17	20	24	44	7.18
Placement, foster home, guardian, or adopted	1		4	6	5	6	11	1.79
Foster home and probation			3	1	3	1	4	0.65

Table 11 (cont.)

Primary Sentence	Shoshone Male	Shoshone Female	Arapahoe Male	Arapahoe Female	All Tribes* Male	All Tribes* Female	Total Number	Total Percent
Put in custody of natural parents		2	3	2	3	4	7	1.14
Put in custody of natural parents and probation	1	1	1		2	1	3	0.49
Totals	110	57	292	146	408	205	613	99.99%

*In addition to the Shoshone and Arapahoe juveniles found guilty, 6 male and 2 female juveniles from other tribes were also found guilty. Of these, only two males received any of the sentences indicated above: one received a suspended sentence of juvenile detention and was placed on probation and the other was placed in a child care institution. The 8 juveniles from other tribes have been included in the "All Tribes" section of the above table.

Table 12

Length of Probation to Which Convicted Juveniles Were Sentenced by The Court of Indian Offenses by Sex and Tribe, 1967 - 1971

Probation	Shoshone		Arapahoe		All Tribes*		
	Male	Female	Male	Female	Male	Female	Total
None	69.09%	54.39%	68.84%	61.64%	69.12%	60.00%	66.07%
1 month or less	2.73	5.26	2.74	4.79	2.70	4.88	3.43
Over 1 month to 2 months	1.82	1.75	1.71	2.05	1.72	1.95	1.79
Over 2 months to 4 months	11.82	15.79	13.36	13.70	12.99	14.15	13.38
Over 4 months to 6 months	6.36	12.28	5.82	14.38	5.88	13.66	8.48
More than 6 months	4.55	8.77	5.48	2.05	5.15	3.90	4.73
Probation to stand as before	2.73	1.75	1.37	0.68	1.72	0.98	1.47
Probation extended up to 3 months							
Probation extended 3 months to 6 months			0.68	0.68	0.49	0.49	0.49
Probation extended more than 6 months	0.91				0.25		0.16
Totals	100.01%	99.99%	100.00%	99.97%	100.02%	100.01%	100.00%
Number	110	57	292	146	408	205	613

*In addition to the Shoshone and Arapahoe juveniles found guilty, 6 male and 2 female juveniles from other tribes were also found guilty. Of these, only one male was given probation; he was placed on probation for a period of three months. The 8 juveniles from other tribes have been included in the "All Tribes" section of the table.

Table 13

Number of Days of Juvenile Detention to Which Convicted Juveniles Were Sentenced by The Court of Indian Offenses by Sex and Tribe, 1967 - 1971

Juvenile Detention	Shoshone		Arapahoe		All Tribes*		Total
	Male	Female	Male	Female	Male	Female	
None	50.91%	73.68%	57.19%	69.18%	55.88%	70.73%	60.85%
1 day	0.91		0.34		0.49		0.33
2 days	9.09	7.02	9.93	10.27	9.56	9.27	9.26
3 days	2.73		0.34	2.05	0.98	1.46	1.14
4 days	5.45		1.71	2.05	2.70	1.46	2.28
5 days	4.55	3.51	6.16		5.64	0.98	4.08
6 to 9 days	1.82		3.08	1.37	2.70	0.98	2.12
10 to 14 days	4.55	3.51	6.16	5.48	5.64	4.88	5.38
15 to 20 days	10.00	5.26	6.16	4.11	7.35	4.39	6.36
More than 20 days	10.00	7.02	8.90	5.48	9.07	5.85	7.99
Totals	100.01%	100.00%	99.97%	99.99%	100.01%	100.00%	99.99%
Number	110	57	292	146	408	205	613

*In addition to the Shoshone and Arapahoe juveniles found guilty, 6 male and 2 female juveniles from other tribes were also found guilty. Of these, only one male was sentenced to juvenile detention, and he received a sentence of 20 days detention. The 8 juveniles from other tribes have been included in the "All Tribes" section of the above table.

Table 14

Amount of Fine Imposed on Convicted Juveniles by The Court of Indian Offenses by Sex and Tribe, 1967 - 1971

Fine	Shoshone		Arapahoe		All Tribes*		
	Male	Female	Male	Female	Male	Female	Total
None	83.64%	94.74%	85.62%	91.10%	85.29%	92.20%	87.60%
$1 to $5	2.73	3.51	4.11	4.79	3.68	4.39	3.92
$6 to $10	5.45		2.40	1.37	3.19	0.98	2.45
$11 to $15	3.64		1.03		1.72		1.14
$16 to $25	1.82		2.05	0.68	1.96	0.49	1.47
$26 to $50	0.91	1.75	2.05	0.68	1.72	0.98	1.47
$51 to $75	0.91		1.37		1.23		0.82
$76 to $125			0.68	1.37	0.49	0.98	0.65
$126 to $200	0.91		0.34		0.49		0.33
Over $200			0.34		0.25		0.16
Totals	100.01%	100.00%	99.99%	99.99%	100.02%	100.02%	100.01%
Number	110	57	292	146	408	205	613

*In addition to the Shoshone and Arapahoe juveniles found guilty, 6 male and 2 female juveniles from other tribes were also found guilty. Although none of these individuals received a fine, they have been included in the "All Tribes" section of the above table.

Table 15

Number of Days of Extra Work to Which Convicted Juveniles Were Sentenced by The Court of Indian Offenses by Sex and Tribe, 1967 - 1971

Extra Work	Shoshone		Arapahoe		All Tribes*		
	Male	Female	Male	Female	Male	Female	Total
None	79.09%	92.98%	85.62%	87.67%	84.07%	89.27%	85.81%
1 to 4 days	14.55	5.26	11.30	8.90	12.01	7.80	10.60
5 to 10 days	6.36		3.08	1.37	3.92	0.98	2.94
11 to 20 days							
21 to 30 days		1.75		2.05		1.95	0.65
Over 30 days							
Totals	100.00%	99.99%	100.00%	99.99%	100.00%	100.00%	100.00%
Number	110	57	292	146	408	205	613

*In addition to the Shoshone and Arapahoe juveniles found guilty, 6 male and 2 female juveniles from other tribes were also found guilty. Although none of these individuals was sentenced to extra work assignments, they have been included in the "All Tribes" section of the above table.

institution. Other specific sentences were imposed in only a small proportion of the cases.

Tables 12, 13, 14 and 15 provide more detailed information concerning sentences of probation, juvenile detention, fine and extra work. The largest percentage of those sentenced to probation were placed on probation for a period of somewhere between two and six months. The largest percentage of those sentenced to detention were given two days of detention. Only a small proportion of juveniles were fined, and the fines tended to be relatively small. The overwhelming majority of youth sentenced to extra work were given less than five days of work. A higher proportion of males than females received sentences of detention, fine, and extra work, while a larger percentage of females was placed on probation.

Except for the vaguely defined category of "Delinquent Child," the most numerous offenses were Public Intoxication, Minor in Possession, Curfew Violation and Malicious Mischief. The types of sentences imposed by the Court of Indian Offenses upon juveniles convicted of these offenses is indicated in Tables 16 through 19. Of those convicted of Public Intoxication, the majority (63.50 percent) were sentenced to detention, followed by probation (37.96 percent) and extra work (16.06 percent). A higher percentage of males than females was sentenced to detention or extra work, while a higher percentage of females was sentenced to probation.

Table 16

Percent of Juveniles Convicted of Public Intoxication Receiving Certain Sentences from the Court of Indian Offenses by Sex, 1967-1971

Type of Sentence	Male	Female	Total
Juvenile Detention	67.37%	54.76%	63.50%
Probation	34.74	45.24	37.96
Fine	2.11		1.46
Restriction	7.37	4.77	6.57
Special Curfew Set	2.11	11.90	5.11
Warning Specified	6.32	26.19	12.41
Meet with Juvenile Office or Other Professional Person	7.37	11.90	8.76
Court Order Specified	2.13	2.38	2.21
Extra Work Ordered	17.89	11.90	16.06
Made Ward of the Court	1.05	4.76	2.19
Commitment, Juvenile Delinquency Institution	1.05		0.73
Placement, Child Care Institution		4.76	1.46
Placement, Foster Home, Guardian, or Adopted	1.05	2.38	1.46
Put in Custody of Natural Parents		2.38	0.73
Special Requirement Set	7.37	2.38	5.84
To Appear in State Court		2.38	0.73
Number	95	42	137

Table 17

Percent of Juveniles Convicted of Minor in Possession Receiving Certain Sentences from the Court of Indian Offenses by Sex, 1967 - 1971

Type of Sentence	Male	Female	Total
Juvenile Detention	59.74%	53.85%	55.25%
Probation	31.17	30.77	31.07
Fine	7.79		5.83
Restriction	9.09	7.69	8.74
Special Curfew Set	23.38	19.23	22.33
Warning Specified	6.49	34.62	13.59
Meet with Juvenile Officer or Other Professional Person	10.39	11.54	10.68
Extra Work Ordered	18.18		13.59
Placement, Child Care Institution	1.30		0.97
Put in Custody of Natural Parents		3.85	0.97
Special Requirement Set	10.39	3.85	8.74
Number	77	26	103

Table 18

Percent of Juveniles Convicted of Curfew Violation Receiving Certain Sentences from the Court of Indian Offenses by Sex, 1967 - 1971

Type of Sentence	Male	Female	Total
Juvenile Detention	33.33%	21.43	28.43%
Probation	31.67	47.62	38.24
Fine		11.90	4.90
Restriction	6.67		3.92
Special Curfew Set	13.33	16.67	14.71
Warning Specified	15.00	23.81	18.63
Meet with Juvenile Officer or Other Professional Person	10.00	7.14	8.82
Extra Work Ordered	33.33	11.90	24.51
Made Ward of the Court	1.67		0.98
Placement, Child Care Institution		2.38	0.98
Placement, Foster Home, Guardian, or Adopted	1.67	2.38	1.97
Put in Custody of Natural Parents	1.67	2.38	1.97
Special Requirement Set	8.33	2.38	5.88
Number	60	42	102

Table 19

Percent of Juveniles Convicted of Malicious Mischief Receiving Certain Sentences from the Court of Indian Offenses, by Sex, 1967 - 1971

Type of Sentence	Male	Female	Total
Juvenile Detention	20.00%		18.64%
Probation	18.18		16.95
Fine	21.82		20.34
Restriction	3.64		3.39
Restitution	32.73		30.51
Warning Specified	10.91		10.17
Court Order Specified	3.64		3.39
Extra Work Ordered	5.45		5.08
Put in Custody of Natural Parents		25.00	1.69
Special Requirement Set	1.82		1.69
To Appear in State Court		25.00	1.69
Number	55	4	59

Of those convicted of Minor in Possession, more than half (55.25 percent) were sentenced to detention. Probation was ordered in 31.07 percent of these cases, and a special curfew was set in 22.33 percent of the cases. Slightly higher percentages of males than females were given these sentences, while a much higher percentage of females (34.62 percent) than males (6.49 percent) were simply given a warning.

For those convicted of curfew violation, the most common sentence was probation, followed by detention, extra work, warning and the setting of a special curfew. Again, a higher percentage of males was given detention or extra work while a higher percentage of females was placed on probation or given a warning. It is perhaps interesting to note that while no males were fined for this offense, 11.90 percent of females convicted of curfew violation were fined.

Very few females were convicted of malicious mischief. For males convicted of this offense the most common sentence was restitution, followed by fine, detention and probation.

Delinquency Rates per 100 Population per Year Based on Court of Indian Offenses Appearances, 1967 through 1971

To this point, the data have been presented only in terms of absolute numbers and percentages. In order to make accurate and valid comparisons between populations of differing size, it is necessary to compute rates; i.e., it is necessary to relate the number of delinquent youth to population size. Table 20 contains the distribution of the juvenile population of the Reservation as

of June 30, 1971. Persons born between July 1, 1952 and June 30, 1971 who died sometime during this period are not included in the table. These persons include 8 Shoshone males, none of whom lived to age 8; 8 Shoshone females, 7 of whom died before age 8 and one of whom died at age 17; 24 Arapahoe males, 22 of whom died before age 8, 1 of whom died at age 13 and the other at age 16; and 22 Arapahoe females, 21 of whom died before age 8 and one of whom died at age 16.

The population of persons between age 8 and 18 was obtained from the census taken by the B.I.A. in 1957. Births and other occurrences since that time have been entered by hand in the blank spaces and margins of the census pages by B.I.A. Social Service Representatives. Individuals who died after reaching age 8 have not been included in the figures. For this reason, the rates indicated in Table 21 tend to be slightly inflated.

Two other factors, however, tend to lead to an underestimate in the computed rates. In the first place, the ages of one Shoshone male, nine Arapahoe females and three Arapahoe males appearing before the Court of Indian Offenses on delinquency charges between 1967 and 1971 were not known. These cases have, therefore, been excluded in the computation of rates. Secondly, during the course of any given year, a number of Indian youth are away from the Reservation for varying periods of time and therefore could not commit offenses on the Reservation during these periods. These include a good many youth away at boarding schools as well as a few in institutions and those merely

Table 20

Age Distribution of Enrolled Shoshone and Arapahoe Youth as of June 30, 1971, by Sex

Age	Shoshone		Arapahoe		Total Male	Total Female	Total
	Male	Female	Male	Female			
0-1	24	20	29	33	53	53	106
1-2	25	25	27	40	52	65	117
2-3	21	28	33	27	54	55	109
3-4	23	21	35	34	58	55	113
4-5	30	18	34	30	64	48	112
5-6	25	27	33	50	58	77	135
6-7	29	13	40	42	69	55	124
7-8	26	24	28	45	54	69	123
8-9	24	26	42	42	66	68	134
9-10	29	23	30	40	59	63	122
10-11	21	21	37	39	58	60	118
11-12	24	27	38	33	62	60	122
12-13	17	24	40	43	57	67	124
13-14	23	23	30	34	53	57	110
14-15	15	22	57	43	72	65	137
15-16	22	27	48	47	70	74	144
16-17	24	22	46	33	70	55	125
17-18	22	15	50	43	72	58	130
Total	424	406	677	698	1,101	1,104	2,205

Table 21

Court of Indian Offenses Appearances on Delinquency Charges Per 100 Population Per Year, 1967-1971, by Age, Sex and Tribe

Age	Shoshone		Arapahoe		Total Male	Total Female	Total
	Male	Female	Male	Female			
8-13	1.9	0.0	4.9	2.0	3.7	1.2	2.4
14-17	25.8	14.7	28.0	17.0	27.3	16.2	22.1
8-17	10.9	5.5	16.0	8.3	14.2	7.2	10.8

visiting or traveling elsewhere. These factors undoubtedly counter the tendency toward overestimation discussed previously. Whether these opposing tendencies balance one another cannot be known.

A final factor to consider here is that the rates computed are based only on appearances before the Court of Indian Offenses. As indicated elsewhere in this study, a number of Indian youth from the reservation commit offenses and are arrested and tried in other jurisdictions each year. The fact that these cases are not included here again tends to underestimate the actual official delinquency involvement of these youths to some extent.

Given these problems, minor differences among rates presented in Table 21 should be discounted. Nevertheless, the rates consistently indicate a higher rate of court appearances for males than females of all ages and for Arapahoe than Shoshone youth of both sexes. In addition, it is clear that court appearances for delinquent acts occur at a much higher rate in the older than younger age categories for both males and females and for Shoshone and Arapahoe youth.

1971 Juvenile Officer Cases Not Referred to the Court of Indian Offenses

Each year a number of youth have official contacts with the Juvenile Officer but are not referred to the Court of Indian Offenses for disposition. Thus, in these cases the disposition is in effect determined by the Juvenile Officer, and there is no official adjudication of delinquency by the Court.

Table 22

Cases Involving an Official Contact with the Juvenile Officer but not Referred to The Court of Indian Offenses, Fiscal Year 1971, by Age, Sex and Tribe

Age	Shoshone		Arapahoe	
	Male	Female	Male	Female
17	3	2	10	6
16	4	1	13	2
15	3	1	8	5
14		1	7	5
13				
12				
11			2	
10 or less				
Unknown	2		1	
Total	12	5	41	18

*One "other" male age 16 also had an official contact with the Juvenile Officer but was not referred to The Court of Indian Offenses.

During Fiscal Year 1971, 77 cases occurred in which a youth had an official contact with the Juvenile Officer but was not referred to the Court of Indian Offenses for disposition. All these cases were delinquency cases, and in all cases the Juvenile Officer was presumably the petitioner. The distribution of these cases by age, sex and tribe is given in Table 22. Of these cases, 12 involved Shoshone males, 5 involved Shoshone females, 41 involved Arapahoe males, 18 involved Arapahoe females and one case involved a male from another tribe. The great majority of the cases involved juveniles in the older age categories; however, this was particularly true of those involving Shoshone youth. Only one Shoshone youth was as young as age 14, while 12 Arapahoe juveniles were 14 years of age and 2 were only 11 years of age.

In terms of place of residence, 11 Shoshone males and 4 Shoshone females were from Fort Washakie, one Shoshone male was from "other" and one Shoshone female was from Ethete. Nineteen Arapahoe males and 5 Arapahoe females were from Arapahoe, 22 Arapahoe males and 13 Arapahoe females were from Ethete; and the one "other" male was from Fort Washakie.

Eight Shoshone males, 38 Arapahoe males, 5 Shoshone females and 17 Arapahoe females were charged with one offense, while 4 Shoshone males, 3 Arapahoe males and one Arapahoe female were charged with 2 offenses. No one was charged with more than 2 offenses.

The specific charges in these cases are indicated in Table 23. On the whole, Arapahoe youth were charged with a much greater variety of offenses, and more serious offenses, than Shoshone youth. An alcohol-related offense was involved in all 12 cases involving Shoshone males, in 2 of 5 cases involving Shoshone females, in 15 of 41 cases involving Arapahoe males and in 6 of 18 cases involving Arapahoe females. The one "other" male in this sample was charged with Public Intoxication. Thus, an alcohol-related offense was involved in 36 (46.75 percent) of these 77 cases.

Presumably, in all these cases the youth received some kind of warning from the Juvenile Officer. It should be noted, however, that many of these youth spent one or more days in juvenile detention, although they had not been officially adjudicated delinquent. Nine out of 12 Shoshone males (75.00 percent), 2 out of 5 Shoshone females (40.00 percent), 27 out of 41 Arapahoe males (65.85 percent) and 8 out of 18 Arapahoe females (44.44 percent) and the one "other" male spent at least some time in detention. Thus, 47 of these 77 youth (61.04 percent) spent at least some time in detention. In addition, 5 Shoshone males, 1 Shoshone female, 7 Arapahoe males and 3 Arapahoe females spent two or more days in detention. Thus, 16 of these 77 youth or 20.78 percent spent two or more days in detention even though they had not been officially adjudicated delinquent.

Table 23

Specific Offenses Charged against Youth Having an Official Contact with the Juvenile Officer but not Referred to The Court of Indian Offenses, Fiscal. Year 1971, by Sex and Tribe

Offense*	Shoshone		Arapahoe		Total
	Male	Female	Male	Female	
Minor in Possession	5	2	5	3	15
Public Intoxication	7		11	3	21
Disturbing the Peace	1	2	6	1	10
Malicious Mischief			5	2	7
Curfew Violation			3	3	6
Assault and Battery			3	1	4
Runaway		1	3	6	10
Auto Theft			3		3
Inhaling Noxious Substances			2		2
Resisting Arrest	2				2
Escape	1				1
Violation of Probation			1		1
Other			2		2
Total	16	5	44	19	84

*In Addition, one "other" male was charged with public intoxication.

Analysis of the Total Number of Court of Indian Offenses Appearances, Juvenile Officer Contacts and Offenses with Which Charged for a Cohort of Shoshone and Arapahoe Youth

During the period July 1, 1952 through June 30, 1953, 15 Shoshone males, 20 Shoshone females, 48 Arapahoe males and 49 Arapahoe females were born, according to the B.I.A. Census.* The following analysis is based on an examination of data contained in the Juvenile Officer's records, which indicate any official contact and offenses with which charged. Of the 35 Shoshone youth in the cohort, 14 appear in these records. These 14 include 7 females and 6 males charged with some delinquent act or acts and one male involved in a dependency/neglect case. Thus, of these Shoshone youth, 37.14 percent (40.00 percent of the males and 35.00 percent of the females) appear in the Juvenile Officer's records at least once on a delinquency charge. The 6 males appear in the Juvenile Officer's records 13 times; they were charged with a total of 19 delinquent acts; and they appeared in Court on 9 occasions. The 7 females appear in the Juvenile Officer's records 14 times, charged with 19 delinquent acts and appear in Court on 9 occasions.

Of the 97 Arapahoe youth in the cohort, 27 males and 20 females appear in the Juvenile Officer's records. Of these, 3 males and 3 females appeared only in custody/guardianship hearings and thus were not charged with the commission of any

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*Three Arapahoe youth died before reaching age 18--one in 1966, one in 1969, one unknown. One Shoshone girl died in 1969.

Table 24

Total Number of Juvenile Officer Contacts, Offenses with Which Charged, and Court of Indian Offenses Appearances for a Cohort of Shoshone Youth Reaching Age 18 between July 1, 1970 and June 30, 1971, by Sex

Number	Juvenile Officer Contacts		Offenses		Court Appearances	
	Male	Female	Male	Female	Male	Female
1	2	3	2	1	1	3
2	2	3	1	4	1	1
3	1		2	1	2	
4	1					1
5		1				
6						
7				1		
8						
9			1			
Totals*	13	14	19	19	9	9

*Of this cohort of 15 males and 20 females, 6 males and 7 females had at least one official contact tith the Juvenile officer. The totals above refer to the total number of Juvenile Officer contacts, offenses with which charged, and Court appearances for these 6 males and 7 females.

Table 25

Total Number of Juvenile Officer Contacts, Offenses with Which Charged, and Court of Indian Offenses Appearances for a Cohort of Arapahoe Youth Reaching Age 18 between July 1, 1970 and June 30, 1971, by Sex

Number	Juvenile Officer Contacts		Offenses		Court Appearances	
	Male	Female	Male	Female	Male	Female
1	6	7	3	6	4	7
2	6	3	4	2	6	1
3	6	3	3	3	1	1
4	1	1	3	1	3	4
5	2	2	2		1	1
6	2	1	1	3	1	
7				2		
8			1			
9			2			
10	1				1	
11			1			
12			1			
13						
14						
15			1			
Totals*	72	42	112	55	52	33

*Of this cohort of 48 males and 49 females, 24 males and 17 females had at least one official contact with the Juvenile Officer. The totals above refer to the total number of Juvenile Officer contacts, offenses with which charged, and Court appearances for these 24 males and 17 females.

delinquent acts. Thus, 24 of 48 males (50.00 percent) and 17 of 49 females (34.69 percent) appear in the Juvenile Officer's records charged with at least one delinquency offense. The 24 males appear in the Juvenile Officer's records 72 times; they were charged with a total of 112 offenses; and they appeared in Court 52 times. The 17 females appear in the Juvenile Officer's records on 42 occasions; they were charged with a total of 55 offenses; and they appeared in Court 33 times. Of the youth charged with delinquent acts, 5 males and 5 females also appeared in Court on Custody/Guardianship hearings or were made wards of the Court in Dependency/Neglect cases.

A high proportion of the offenses charged against these youth were alcohol-related offenses. Of the 205 charges against these juveniles, 31.22 percent involved alcohol-related offenses; 42.10 percent of the charges against Shoshone males, 21.05 percent of the charges against Shoshone females, 34.82 percent of the charges against Arapahoe males and 23.64 percent of the charges against Arapahoe females were for alcohol-related offenses. Of the charges against males, 35.88 percent were for alcohol-related offenses, as were 22.97 percent of the charges against females.

As high as the figures appearing in Tables 24 and 25 may appear to be, they are nevertheless an underestimation of the official involvement of these youth in delinquent acts because of the incompleteness of the Juvenile Officer's records, particularly for earlier years. Several of the youth in this cohort

are known to have been charged with a greater number of offenses and to have appeared in Court on more occasions than indicated in these records.

Charges Against Juveniles by the Fremont County Sheriff's Department and the Lander Police Department, Fiscal Year 1971

During Fiscal Year 1971, the Fremont County Sheriff's Department made a total of 43 arrests of persons under 18 years of age resulting in 45 separate offenses charged against these persons. By race, 11 non-Indian males, 16 non-Indian females, 12 Indian males and 4 Indian females were arrested. Of the arrests of Indian females, 3 were of a single girl who was charged with being incorrigible in each instance. Two of the Indian males arrested were charged with two separate offenses; one was charged with runaway and parole violation and the other with breaking and entering and grand larceny. No other persons were charged with more than one category of offense when arrested.

The figures given in Table 26 do not indicate the number of separate counts of an offense with which persons were charged but merely the separate offense categories with which they were charged. During Fiscal Year 1971 only two juveniles were charged with more than one count of an offense; one non-Indian female was charged with three counts of forgery and one Indian male with two counts of auto theft.

Of the 45 charges made by the Fremont County Sheriff's Department, 11 (24.44 percent) were against non-Indian males, 16 (35.55 percent) were against non-Indian females, 14 (31.11 percent)

Table 26

Separate Charges against Persons under 18 years by the Fremont County Sheriff's Department, by Race and Sex, 1971 Fiscal Year

Offense	Non-Indian		Indian		Total
	Male	Female	Male	Female	
Incorrigible	5	9		3*	17
Parole Violation			4		4
Runaway		3	1	1	5
Aid and Abet Auto Theft			3		3
Auto Theft			2		2
Grand Larceny	1	1	1		3
Minor in Possession	1		1		2
Forgery		1			1
Breaking and Entering			1		1
Aid and Abet Breaking and Entering		1			1
Aid and Abet a Felony		1			1
Assault with Deadly Weapon			1		1
Driving Under the Influence of Alcohol	1				1
No Driver's License	1				1
Hitchhiking	1				1
Investigation of Narcotics	1				1
Total	11	16	14	4	45
Percentages	24.4%	35.6%	31.1%	8.9%	100.00%

*All three charges involved the same girl.

were against Indian males and 4 (8.88 percent) were against Indian females. Of the 25 charges against males, 14 (56.00 percent) were against Indian youth while of the 20 charges against females only 4 (20.00 percent) were against Indian youth; and, as noted above, 3 of these 4 charges were against one girl. Thus, it would appear that for the Fremont County Sheriff's Department, Indian male youth constitute more of a problem relative to non-Indian male youth than do Indian females relative to non-Indian females.

Because of the small number of cases, few patterns emerge with respect to the distribution of specific offenses. Nevertheless, it is apparent that a large proportion of the charges against both male and female non-Indian youth are for incorrigibility while the principal problem among Indian males seems to be with parole violations and auto theft. Since only 2 different Indian females were arrested, no reliable conclusions can be drawn with respect to them. It is interesting to note, however, that all these arrests were for incorrigibility or runaway.

Of the 188 charges made by the Lander Police Department, 142 (75.53 percent) were against non-Indian males, 20 (10.64 percent) were against non-Indian females, 23 (12.23 percent) were against Indian males, and only 3 (1.60 percent) were against Indian females. Of the 165 charges against male youth, 23 (13.94 percent) were against Indian males while of the 23 charges against females, 3 (13.04 percent) were against Indian females.

Of the 188 charges made by the Lander Police Department, 72 (38.30 percent) involved Alcohol-Related Offenses (Minor in

Table 27

Separate Charges against Persons under 18 years of Age by the Lander Police Department, by Race and Sex, 1971 Fiscal Year

Offense	Non-Indian		Indian		Total
	Male	Female	Male	Female	
Alcohol Related Offenses	49	5	17	1	72
Minor in Possession	30	5	6	1	42
Minor under the Influence	16		11		27
Driving under the Influence of Alcohol	3				3
Automobile Related Offenses	56	8	1	1	66
Speeding	31	5	1	1	38
Improper muffler	8				8
Stop sign	4	3			7
Hazardous driving	5				5
Red light	4				4
Leaving scene of accident	2				2
Failure to yield right-of-way	1				1
Speed too fast for conditions	1				1
Other Offenses	37	7	5	1	50
Destruction of private property	8		1		9
Shoplifting	2	3	3	1	9
Petty larceny	7				7
Curfew	4	2			6
Disturbing the peace	6				6
Resisting Arrest	1		1		2
Assault and Battery	2				2
Destroying City Property	2				2
Grand Larceny	2				2
Aiding and abbeting a felony		1			1
Party to a crime	1				1
Possession of LSD	1				1
Runaway		1			1
Littering	1				1
Total Offenses	142	20	23	3	188

Possession, Minor Under the Influence or Driving Under the Influence of Alcohol), 66 (35.11 percent) involved Automobile-Related Offenses other than Driving Under the Influence of Alcohol and 50 (26.60 percent) involved other offenses. Very few of the charges made by the Lander Police Department could be considered as being for serious offenses, and none of these involved an Indian youth.

When considered by race and sex, 49 (34.51 percent) of the charges against non-Indian males were for Alcohol-Related Offenses, 56 (39.44 percent) were for Automobile-Related Offenses and 37 (26.06 percent) were for other offenses. Of the charges against Indian males, 17 (73.91 percent) were for Alcohol-Related Offenses, 1 (4.35 percent) for an Automobile-Related Offense and 5 (21.74 percent) were for other offenses. Of the charges against non-Indian females, 5 (25.00 percent) were for Alcohol-Related Offenses, 8 (40.00 percent) were for Automobile-Related Offenses and 7 (35.00 percent) were for other offenses. Of the 3 charges against Indian females, one was for Minor in Possession, one for Speeding and one for Shoplifting. Thus, Lander Police Department problems with Indian males seemed to involve primarily Alcohol-Related Offenses, while for non-Indian males, Automobile-Related Offenses predominated, followed closely by Alcohol-Related Offenses and other offenses. Too few Indian females were arrested to establish any pattern, but non-Indian females seemed to be involved primarily in Automobile-Related and "other" offenses, although 25 percent of the charges against them were for Alcohol-Related Offenses.

The age distribution of youth arrested by the Lander Police Department and the Fremont County Sheriff's Department is given in Table 28. Arrests by the two Departments were combined because of the small number of Indian youth and non-Indian females arrested by these agencies. Inspection of this table indicates that the mean age of Indian youth arrested is somewhat younger than that of non-Indian youth. Of the non-Indian youth arrested, 84.29 percent of the males and 76.47 percent of the females were 16 years of age or older, while among Indian youth only 50.00 percent of the males and 42.86 percent of the females were 16 years of age or older. In addition, all 4 arrests of persons 12 years of age or younger were of Indian youth: 3 boys and a girl. Of some interest is the fact that the girl and 2 of the boys were charged with Shoplifting and one boy was charged with Destroying Private Property. Whether this indicates a greater involvement in shoplifting by young Indian youth than white youth or a greater tendency to arrest Indian than non-Indian youth for shoplifting is unknown.

In summary, considering the data from both the Fremont County Sheriff's Department and the Lander Police Department, the salient findings are that neither agency has much official contact with Indian female juveniles, that Indian male juveniles are involved principally in Alcohol-Related Offenses, that few Indian youth (or non-Indian youth, for that matter) are charged with really serious offenses and that those Indian youth arrested tend to be somewhat younger on the average than non-Indian youth. And

Table 28

Age Distribution of Juveniles Arrested by the Fremont County Sheriff's Department and the Lander Police Department, by Race and Sex, Fiscal Year 1971

Age	Non-Indian		Indian	
	Male	Female	Male	Female
17	57	8	7	2
16	61	18	10	1
15	13	5	8	3
14	4	3	1	
13	5		5	
12			1	
11				1
10			1	
9				
8			1	
Totals	140	34	34	7
Mean Age	16.2	15.9	14.0	15.3

finally, it is of course probable that at least a few Wind River Indian Reservation juveniles were arrested during Fiscal Year 1971 by other law enforcement agencies. In this regard, it is particularly unfortunate that data from the Riverton Police Department were not available to provide a more complete picture of the involvement of Indian youth with law enforcement agencies other than the Indian Police. Because of the manner in which arrest records are kept by the Riverton Police Department, it was impossible to obtain the necessary data from that agency.

CHAPTER II

DEPENDENCY/NEGLECT, DEPENDENCY/NEGLECT/DELINQUENCY, AND CUSTODY/GUARDIANSHIP CASES HEARD BY THE COURT OF INDIAN OFFENSES, 1967-1971

During the fiscal years 1967 through 1971 the Court of Indian Offenses heard 89 custody/guardianship cases, 238 dependency/neglect cases, and 10 cases involving dependency/neglect where the youth was also charged with commiting one or more delinquent acts. The distribution of these cases by sex and tribe is given in Table 29. Although a larger number of Arapahoe than Shoshone youth were involved in these cases, as can be seen in Table 30 there is no significant difference in the rate of involvement of Shoshone and Arapahoe youth in either custody/guardianship or dependency/neglect cases.

From the data presented in Tables 31 and 32 it is apparent that the majority of the youth involved in these cases were 10 years of age or younger. In most of the instances where the age is unknown because it was not given in Court records the person involved was a baby or young child. In many of these cases the person was merely listed as an infant, with no age given, in Court records. In addition to Shoshone and Arapahoe youth, 6 females from other tribes were involved in dependency/neglect hearings. All 6 were 10 years of age or younger. Two males from other tribes were involved in custody-guardianship hearings.

Table 29

Custody/Guardianship, Dependency/Neglect, and Dependency/Neglect/Delinquency Cases Heard by the Court of Indian Offenses, 1967-1971, by Sex and Tribe

Type of Case	Shoshone		Arapahoe		Other Tribes		All Tribes		Total
	Male	Female	Male	Female	Male	Female	Male	Female	
C/G	16	15	34	22	2		52	37	89
D/N	50	37	72	69	4	6	126	112	238
D/N/D	2	2	3	3			5	5	10
Total	68	54	109	94	6	6	183	154	337

Table 30

Court of Indian Offenses Custody/Guardianship and Dependency/Neglect Cases per 100 Youth per Year, 1967-1971, by Sex and Tribe

Type of Case	Shoshone		Arapahoe	
	Male	Female	Male	Female
Dependency/Neglect	2.45	1.92	2.22	2.06
Custory/Guardianship	0.75	0.74	1.00	0.63

One was 14 years of age, the other under 10. Four males from other tribes were involved in dependency/neglect hearings. One was 16 years old, and the other three were 10 years of age or younger.

In the 248 dependency/neglect cases (including the 10 cases that also involved a delinquency charge), 233 (93.95 percent) of the youths were living with a parent or parents, 14 (5.65 percent) with a guardian, and one (0.40 percent) at St. Michael's Mission. The petitioner was a Social Services representative in 208 (87.87 percent) of the cases; the Juvenile Officer was the petitioner in 25 (10.08 percent) of the cases; and, another person was the petitioner in 6 (2.42 percent) of the cases. Court orders were issued in 16 out of 75 cases involving Arapahoe males (21.33 percent) and in 6 out of 72 cases (8.33 percent) involving Arapahoe females. No Court orders were issued in any cases involving Shoshone youth or youth from other tribes. In dependency/neglect cases, 15 out of 52 Shoshone males (28.85 percent),

Table 31

Age Distribution of Shoshone Youth Involved in Custory/Guardianship, Dependency/Neglect, and Dependency/Neglect/Delinquency Cases Heard by the Court of Indian Offenses, 1967-1971, by Sex

Age	Custody/Guardianship		Dependency/Neglect		Dependency, Neglect/Delinquency	
	Male	Female	Male	Female	Male	Female
17	2	3				1
16	1	3		2	2	1
15	2					
14			2	1		
13	1	1	2			
12		1		1		
11	1		4			
10 or less	8	3	42	32		
Unknown	1	4		1		
Total	16	15	50	37	2	2

Table 32

Age Distribution of Arapahoe Youth Involved in Custody/Guardianship, Dependency/Neglect, and Dependency/Neglect/ Delinquency Cases Heard by the Court of Indian Offenses, 1967-1971, by Sex

Age	Custody/Guardianship		Dependency/Neglect		Dependency/Neglect/Delinquency	
	Male	Female	Male	Female	Male	Female
17	4	3	3	2	1	
16	3	4	1	3		
15	2		1	1		2
14	3	1	4	3	1	
13	3	1	3	3	1	
12			4	1		1
11	2	1	2	2		
10 or less	12	4	50	48		
Unknown	5	8	4	6		
Total	34	22	72	69	3	3

7 out of 39 Shoshone females (17.95 percent), 23 of 75 Arapahoe males (30.67 percent), and 17 of 72 Arapahoe females (23.61 percent) were made wards of the Court. One of 4 males (25.00 percent) and 2 of 6 (33.33 percent) females from other tribes were also made wards of the Court.

In the 89 custody/guardianship hearings, 35 (39.33 percent) of the youth were living with a parent or parents, 43 (48.31 percent) with a guardian and 9 (10.11 percent at St. Michael's Mission. In two cases (2.25 percent) no indication of the child's residence was given in Court records. A Social Services representative was the petitioner in 81 (91.01 percent) of these cases; in five cases (5.62 percent) the petitioner was the Juvenile Officer; in 2 (2.25 percent) it was another person; and, in 3 cases (3.37 percent) the petitioner was not indicated. No Court orders were specified in any of these cases. In custody/guardianship hearings, 6 out of 34 (17.65 percent) Arapahoe males and 4 out of 22 (18.18 percent) Arapahoe females were made wards of the Court. No other youth were made wards of the Court in custody/guardianship hearings.

CHAPTER III

THE FINDINGS IN PERSPECTIVE: SUGGESTIONS FOR PREVENTION AND TREATMENT PROGRAMS

As indicated in the Preface, this study has been oriented toward three specific objectives: 1) to provide the Joint Business Council with information concerning the nature and magnitudy of the delinquency problem among Indian youth from the Wind River Reservation; 2) to provide the Governor's Planning Committee on Criminal Administration for the State of Wyoming with information pertinent to establishing a "Comprehensive Plan for the Prevention and Control of Juvenile Delinquency" in the state of Wyoming; and 3) to provide suggestions for the development of delinquency treatment and prevention programs appropriate to the current delinquency situation on The Wind River Reservation. Thus far data have been presented relevant to the first two of these objectives. This chapter summarizes these findings, places them in perspective, considers them in the light of various theories of delinquency, and offers suggestions for delinquency prevention and treatment programs that might be implemented on The Wind River Reservation.

Summary of Major Findings

1. During Fiscal Years 1967 through 1971, 1047 cases involving juveniles were adjudicated by the Court of Indian Offenses.

About two-thirds of these cases involved a juvenile charged with the commission of one or more delinquent acts. The remainder involved dependency/neglect cases, custody/guardianship cases or review of the case.

2. Approximately two-thirds of the delinquency cases involved males and one-third involved females.

3. The majority of youth appearing before the Court of Indian Offenses on delinquency charges were in the older juvenile age categories.

4. About three-fourths of the cases involved only one charge against a juvenile, about a fifth involved two charges, and only about one case in twenty involved more than two charges. A slightly higher proportion of males than females was charged with more than one offense.

5. The overwhelming majority of persons charged with a delinquent offense lived in Ethete, Fort Washakie or Arapahoe, with only a small proportion resident elsewhere.

6. In the overwhelming majority of delinquency cases, the petitioner bringing the case before the Court was the Juvenile Officer or Special Officer. Although only a small proportion of petitioners were parents or guardians, parents or guardians were petitioners in a larger percentage of cases involving females than males.

7. The defendant in delinquency cases was represented by a lawyer in only about three percent of such cases.

8. Slightly more than one-fourth of all charges against

juveniles were for alcohol related offenses.

9. Only a small proportion of charges against juveniles were for what could be considered to be serious offenses.

10. Juveniles were found guilty of nearly nine out of ten offenses with which they were charged.

11. Slightly more than one-third of those found guilty were sentenced to a period of detention. Slightly less than one-third were placed on probation. Only about one case in ten resulted in the imposition of a fine. The largest percentage of those sentenced to detention were given two days of detention while the largest percentage of those sentenced to probation were placed on probation for a period of somewhere between two and six months. Fines tended to be relatively small.

12. During the period 1967 through 1971 there were 10.8 appearances per year before the Court of Indian Offenses on delinquency charges for youth aged eight through seventeen. The delinquency rate was about twice as high for males as females and much higher for youth aged fourteen through seventeen than for youth aged eight through thirteen.

13. During Fiscal Year 1971 there were seventy-seven cases in which a youth had an official contact with the Juvenile Officer as a consequence of the commission of a delinquent act but was not referred to the Court of Indian Offenses for disposition. About six out of ten of these youth spent at least some time in detention although they had not officially been

adjudicated delinquent.

14. Of a cohort of youth born between July 1, 1952 and June 30, 1953, 40.00 percent of the Shoshone males, 35.00 percent of the Shoshone females, 50.00 percent of the Arapahoe males and 34.69 percent of the Arapahoe females appear in the Juvenile Officer's records at least once charged with a delinquent act.

15. During Fiscal year 1971 the Fremont County Sheriff's Department made fourteen arrests of Indian males and four arrests of Indian females while the Lander Police Department made twenty arrests of Indian males and three arrests of Indian females. The bulk of the arrests of Indian males were for alcohol related offenses.

16. During Fiscal Years 1967 through 1971 the Court of Indian Offenses heard 89 custody/guardianship cases, 238 dependency/neglect cases, and 10 dependency neglect cases where the youth was also charged with committing one or more delinquent acts. The majority of youth involved in these cases were ten years of age or younger.

Placing the Findings in Perspective

Given these findings, how does the delinquency problem on The Wind River Reservation compare with that of the nation as a whole? In recent years there have been about 2.5 juvenile court appearances for every 100 youth aged 10 to 17 in the United States (Cohen and Short, 1971). This rate is not directly comparable to that of 10.8 given in Table 21 because

it was computed on the basis of the population ten to seventeen years of age, while that in Table 21 was computed on the basis of the Indian population eight through seventeen years of age on The Wind River Reservation. With the data available, however, the delinquency rate based on Court of Indian Offenses appearances for the population ten to seventeen years of age can be computed for the Reservation. This rate turns out to be about 12 Court appearances per 100 youth per year. Thus, the Reservation rate is nearly five times the national average. From other studies, it is apparent that that the Reservation rate is approximately comparable to that in the highest delinquency rate areas of America's largest cities (Lander, 1954; Shaw and McKay, 1942). However, this generalization should be interpreted with caution. As noted elsewhere in this report, the great majority of Court appearances of Wind River Reservation youth are for relatively minor offenses. It is impossible to obtain precisely comparable data for other areas of the United States or for the nation as a whole; nevertheless, it is highly probable that the proportion of Court appearances of Reservation youth involving serious offenses--such as burglary, robbery, assault, etc.,--is much lower than in the high delinquency rate areas of our large cities or the country as a whole; and, conversely, that the proportion involving minor offenses is much higher. For example, in 1969, 2.9 percent of the charges against persons under the age of 18 in the United States were for public intoxication (FBI, 1969:113), while

between 1967 and 1971, 14.8 percent of the charges against persons under age eighteen appearing before the Court of Indian Offenses were for public intoxication.. These figures are obviously not completely comparable, and it is impossible to obtain completely comparable data; however, they do illustrate the point made above.

There are few studies of Indian criminality or delinquency either for the nation as a whole or for particular tribes or Reservations. The best available studies are those of Stewart (1964), Reasons (1972), Dana (1972), Minnis (1972), Farber (1957), Senate Juvenile Delinquency Hearings (1968). These studies confirm the above generalizations that Indian crime and delinquency rates are relatively high compared to the general population of the United States and that Indian offenses are primarily petty offenses or misdemeanors. These and other studies (Carpenter, 1959; Lemert, 1958; Riffenburgh, 1964; Trillin, 1971; Honigmann and Honigmann, 1945; Dozier, 1966) confirm the finding of the present study that alcohol is an important factor in Indian criminality and delinquency. There is, however, no evidence to indicate that the Indian is inherently more susceptible to intoxication or alcoholism than other peoples (Dozier, 1966:74). According to Dozier, it appears probable that excessive alcohol consumption among Indians is associated with its anxiety reducing function and the loss of opportunity for institutionalized social interaction (1966:79). Dodson (1972:3) maintains that a situation

of low economic access among a segment of Wind River Reservation people requires social networks to exploit available resources, and that these networks are in part established and maintained through drinking. While this theory centers on adult drinkers, it may also be applicable to juveniles. The implication is that if it were possible to substitute a more legally acceptable pattern of social interaction among these juveniles, a significant amount of delinquency on the Reservation could in all probability be eliminated.

Interpretation of Findings in Terms of Delinquency Theory

The nature of the data obtained in this study do not permit the rigorous testing of hypotheses concerning the etiology of Indian delinquency. Nevertheless, they do contain some information providing clues to an explanation of the high rate of Indian delinquency.

During the five year period studied, the Court of Indian Offenses heard 337 cases involving custody/guardianship or dependency/neglect. The great majority of these cases (248) involved dependency/neglect. What relevance does this have to understanding delinquency among Wind River Indian Reservation youth? Sheldon and Eleanor Glueck (1957) have demonstrated that unsuitable or unsatisfactory supervision of children is highly related to the probability that they will become officially delinquent. In dependency/neglect cases, and in many custody/guardianship cases as well, the supervision of the child

by parents or others was obviously unsatisfactory or the case would not have been brought before the Court.

In addition, Walter C. Reckless (1962) has theorized on the basis of his research that a person characterized by strong "internal containment" is less likely to become delinquent or criminal than a person characterized by weak "internal containment." According to Reckless (1962:132),

> Internal containment consists of "self" components--those having to do with the strength of the self as an operating person. It is composed of:
>
> 1. A favorable image of self in relation to other persons, groups, and institutions.
> 2. An awareness of being an inner-directed, goal oriented person.
> 3. A high level of frustration tolerance.
> 4. Strongly internalized morals and ethics.
> 5. Well developed ego and super ego (in the sense of Fritz Redl, as the control and management system of behavior).

Strong internal containment is undoubtedly developed by the individual in the socialization process. If this process is unsatisfactory, as it is likely to be in families where the child is involved in dependency/neglect cases, the individual is more likely to develop weak internal containment and is therefore likely to be more vulnerable to delinquency producing influences in his environment. In short, he is more likely to become delinquent.

In addition to the theories developed by Reckless and the Gluecks, there are a great many other explanations of the etiology of juvenile delinquency. None of these explanations has proved to be completely satisfactory. Nevertheless, several

of them do contain elements which seem germane to understanding delinquency among Indian youth. Since sound prevention and treatment programs must be based not only on adequate knowledge of the problem but on an adequate theoretical understanding of that problem, several explanations of delinquency that appear to be relevant will be summarized here.

Toward the end of the 19th century the French sociologist Emile Durkheim developed a concept that he called "anomie"--by which he meant a condition of normlessness, or, perhaps more accurately, a condition of weakened respect for the norms of a group or society (Durkheim, 1951:241-254). It is a condition under which norms no longer effectively control men's actions. According to Durkheim, anomie occurs as a result of a breakdown in societal control over the goals that men seek to attain such that men's aspirations become unlimited. He saw society as playing a role in regulating man's social needs similar to that played by man's organic structure in regulating his physical needs.

> But when society is disturbed by some painful crisis or by beneficent but abrupt transitions, it is momentarily incapable of exercising this influence... (because) the limits are unknown between the possible and the impossible, what is just and what is unjust, legitimate claims and hopes and those that are immoderate (Durkheim, 1951:252-253).

Thus, according to Durkheim, certain states of social organization produce or give rise to anomie, and this in turn results in an increased rate of violation of social norms on the parts of those whose social desires and needs are no longer effectively controlled by their society.

In recent years the American sociologist Robert Merton has extended and conceptually refined Durkheim's earlier work (Merton, 1968). It is Merton's view that pressures toward deviant behavior originate in marked discrepancies between culturally induced aspirations and the possibility of achieving them through legitimate means. Merton sees the stable society as one in which there is a balance between emphasis on the attainment of culturally prescribed aspirations and on their attainment in socially structured and approved ways. His central hypothesis is "that aberrant behavior may be regarded sociologically as a symptom of dissociation between culturally prescribed aspirations and socially structured avenues for realizing these aspirations (Merton, 1958:188). He holds that:

> When a system of cultural values extols, virtually above all else, certain common success-goals for the population at large while the social structure rigorously restricts or completely closes access to approved modes of reaching these goals for a considerable part of the same population ... deviant behavior ensues on a large scale (1968:200).

This comes about in the following way:

> With such differential emphases upon goals and institutional procedures, the latter may be so vitiated by the stress on goals as to have the behavior of many individuals limited only by considerations of technical expediency. In this context, the sole significant question becomes: Which of the available procedures is the most efficient in netting the culturally approved value? The technically most effective procedure, whether culturally legitimate or not, becomes typically preferred to institutionally prescribed conduct. As this process of attenuation continues, the society becomes unstable and there develops what Durkheim called "anomie" (or normlessness) (1968: 189).

Cloward and Ohlin (1960:83) have pointed out that Merton's refinement of Durkheim's position is important because it draws attention not only to the consequences of the pursuit of limitless goals but also to the consequences of the pursuit of limited goals when the possibilities of achieving them are also limited. And, in addition, Merton's formulation permits a distinction with respect to the severity of pressures toward deviant behavior originating at different locations in the social structure.

Anomie theory as developed by Merton holds, then, that discrepancies between aspirations and legitimate opportunities for the attainment of these aspirations produce strong pressures for the use of non-culturally approved alternatives. Thus, other things being equal, one would predict on the basis of this theory that non-culturally approved behavior--including delinquency--would be found to occur more frequently among those segments of the population where a substantial discrepancy exists between aspirations and opportunities for the attainment of these aspirations. In a recent extension of anomie theory, however, Cloward and Ohlin (1960) have pointed out that all other factors are not always equal for all persons in such a position. They propose a theory of differential opportunity structures that enables them to unite the theory of anomie as developed by Merton with the differential association theory of the late Edwin Sutherland in which differential access to illegitimate opportunity structures is implicit. They point out

that

> Motivation and pressures toward deviance do not fully account for deviant behavior any more than motivation and pressures toward conformity account for conforming behavior. The individual must have access to a learning environment and, once having been trained, must be allowed to perform his role (1960:147).

Cloward and Ohlin hold that individuals are located in both legitimate and illegitimate opportunity structures; and, just as legitimate avenues to the attainment of success-goals are not equally available to all so, too, there is differential access to illegitimate opportunity structures. This includes both differential access to conditions favorable for learning deviant behavior patterns as well as conditions favorable for engaging in deviant behavior.

Edwin Sutherland proposed that persons come to engage in illegal behavior through a process he called "differential association (1947:7-8). That is, he held that criminal or delinquent behavior is learned behavior. It is behavior that is learned in interaction with other persons in the context of intimate personal groups in the same manner as is conforming behavior or legitimate behavior. He held that persons learn criminal or illegal behavior patterns through contact with these behavior patterns and in isolation from anticriminal patterns. Thus, on the basis of Sutherland's theory, we would expect to find the highest rates of criminal or delinquent behavior among persons with limited opportunities to attain culturally approved success-goals legitimately and who have greatest access to criminal or delinquent behavior patterns--both to learn them and to engage in them.

The situation described in these theories developed by Merton, Sutherland and Cloward and Ohlin seems to fit that of many Indian youth. They live in a society with "common success goals for the population at large" while the social structure often restricts or largely closes access to approved modes of reaching these goals. In addition, it appears that a large number of Indian youth have greater than average opportunities to learn delinquent behavior patterns. As mentioned previously, adult Indian crime rates are much higher than those of the general American population. Alcohol abuse and alcoholism are major problems on most American Indian Reservations. And, it appears that a rather high proportion of Indian youth are neglected by their parents. These youth tend to gravitate toward one another and toward delinquent solutions to their problems. In order to alleviate this situation greater opportunities must be provided for Indian youth to attain culturally approved goals through legitimate means. Programs must be developed to reduce adult Indian crime and alcohol abuse rates as well as the rate of child neglect. In order to reduce child neglect, families must be strengthened. To strengthen families, economic opportunities for adults must be increased and truly effective alcoholism rehabilitation programs must be established.

A large proportion of Wind River Reservation youth spend some time in jail during the period they are under the jurisdiction of the juvenile court. The jail at Fort Washakie is

undoubtedly as good or better than most jails in the State of Wyoming. There are separate cells for juveniles. Nevertheless, juveniles are not completely segregated from adult offenders. It is easily possible for them to hear the shouting and cursing of belligerent or drunk adult offenders. Prisoners, both youths and adults, are often released from their cells to work in and around the jail. Under these circumstances youthful offenders have ample opportunity to interact with adult offenders, many of whom have been in and out of jail so many times that they no longer feel any sense of stigma or shame associated with a jail experience -- and who transmit that attitude to juvenile offenders. The solution here is obviously a separate juvenile detention facility.

Recently Empey and Lubeck (1971) have proposed a new theory of the etiology of delinquency which may be applicable to many Indian youth. They theorize that strain leads to reduced institutional ties which, in turn, leads to increased identification with delinquent peers and finally to delinquency. Given their often disadvantaged position in American society, it is probable that many Indian youth experience considerable strain. It is also apparent that many Indian youth have rather weak ties to the familial and educational institutions. Large numbers of Wind River Reservation juveniles have been involved in dependency neglect and/or custody guardianship cases. And, although no hard data were collected on this question, informal conversations with juveniles indicated that many of them were

not living in a normal home situation with both parents. Instead, some were living alone while others were living in unstable and temporary arrangements with various relatives or friends. In addition, it is apparent that the school adjustment and commitment of many Reservation youth is less than satisfactory. This is indicated by a high rate of absences and "skips," by a reportedly high drop out rate, frequent changes of schools, low grades and low scores on standardized achievement tests.

If Empey and Lubeck are correct, these reduced institutional ties of many Reservation youth should lead to increased identification with delinquent peers and to delinquency. Further study is needed to ascertain whether or not these assumptions are correct. But if they are, intervention strategy should be directed both toward improving the quality of family life and ties of these youth and increasing their ties to the educational institution.

Specific Suggestions for the Development of Delinquency Prevention and Treatment Programs

To this point only rather general suggestions have been made regarding steps that might be taken to reduce the delinquency problem among Wind River Reservation youth. In this final section an attempt will be made to make these suggestions more specific and to indicate additional programs and procedures that might be implemented.

1. Every effort should be made to increase employment opportunities both for Indian youth and adults. Study is needed to determine in what ways this might be accomplished.

2. Many Reservation families appear to be inadequate. An improvement in the employment situation in the Reservation area would undoubtedly enable many adult Indians to fulfill their family support obligations more satisfactorily than at present. This, in turn, should lead to some improvement in family stability and quality of family life. As this process occurs more effective control over the behavior of youth and a reduction in delinquent activity should be expected. At any rate, in depth study is needed of the relationship between the quality of family life and delinquency on the Reservation so that programs can be developed to strengthen families, improve the quality of family life, and improve the quality of family supervision of children in cases where this is needed.

3. Illegal use of alcohol is a major problem among Indian youth. Alcohol abuse and alcoholism also appear to be major problems among adult Indians. The existing alcoholism rehabilitation program on the Reservation should be evaluated by experts in this field and every effort should be made to make the program as effective as possible. Effective alcohol education programs should be instituted in area schools, and these programs should be evaluated periodically in terms of their effectiveness and revised where necessary.

4. Some illegal drinking and other delinquent behavior by Indian youth appears to be at least in part a consequence of a lack of adequate leisure activities on the Reservation. Consideration should be given to the appointment of a recreation director with responsibility for the development of a wide range of leisure activities of interest to youth.

5. Many Indian youth seem to develop antipathy and hostility or apathy toward the schools. A study should be made of the relationship between Indian youth and the schools to understand precisely how this situation develops. Numerous studies indicate that a poor relationship to the school is often a prelude to delinquency. Other studies indicate that schools themselves often operate in ways such as to alienate youth from them and increase the probability that they will become delinquent. It is apparent that numerous misunderstandings exist between school personnel and both Indian youth and adults. Communication and dialogue should be established with area school personnel on a permanent and continuous basis so that problems that arise can be resolved. The Joint Business Council might consider the establishment of a permanent subcommittee with this mandate and responsibility.

6. Programs should be instituted in the schools which will aid Indian youth in developing knowledge of their heritage and pride in being Indian. These programs should also be devised in such a way as to provide non-Indian youth with a better understanding of Indian history, culture, etc.

7. Current juvenile detention facilities are inadequate. Consideration might be given to remodeling the old tribal office facilities for this purpose when the new tribal building is completed. Many juveniles are now confined in jail prior to the adjudication of their case, and many others are confined whose cases never come before the Court. This practice should be examined to determine whether this procedure is really necessary or whether at least in many cases it might be more appropriate to remand the youth to the custody of his or her parents or other adults.

8. Consideration should be given to the possibility of establishing one or more group homes to provide for those youth whose family situation is inadequate. In some instances these homes might also be used to house juveniles awaiting adjudication of their case rather than holding them in jail.

9. The Juvenile Officer currently maintains a file concerning charges, etc. made against Reservation youth by Reservation authorities. Consideration should be given to the possibility of establishing an arrangement with other area law-enforcement agencies whereby the Juvenile Officer would be informed of any charges (and their disposition) against Reservation youth. This would provide more complete information for the juvenile judge to use in reaching appropriate dispositions of juvenile offenders and would also enable the Juvenile Officer to keep better informed concerning the activities of juveniles who might be developing into serious delinquents.

10. Only a very small proportion of juveniles appearing before the Court were represented by a lawyer. This, of course, raises the question as to whether on the whole juveniles receive adequate counsel and defense in their cases. The Joint Business Council should examine this situation to determine whether some system needs to be devised to ensure that juveniles' rights are adequately protected.

Conclusion

In concluding this report several points should be made. First, in interpreting the findings presented it should be kept in mind that delinquency exists to a greater or lesser degree in all segments of the American population. Second, although there are numerous theories of the etiology of delinquency, none has thus far proved to be completely valid. Third, in order to prevent or treat delinquency successfully, its causes must be known. Hundreds of programs have been devised to prevent or treat delinquency over the past several decades. None has been spectacularly successful, and it is unlikely that totally successful programs can be developed until the causes of delinquency are fully understood--if even then.

Given these considerations, it is no more likely that programs can be developed to eliminate delinquency completely among Wind River Reservation youth than that this can be done with respect to any other segment of our population. On the basis of current delinquency theory, however, it is likely that if

the above suggestions are implemented delinquency among Wind River Reservation youth can be substantially reduced. This is all that can realistically be expected at the present time.

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